

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

ROBERT LEE NORRIS,)	CASE NO. 5:06 CV 1213
)	
Petitioner,)	JUDGE KATHLEEN M. O'MALLEY
)	
v.)	
)	<u>MEMORANDUM OF OPINION</u>
JULIUS WILSON,)	<u>AND ORDER</u>
)	
Respondent.)	

A second or successive motion under section 2254 may not be filed without leave from the appropriate court of appeals. 28 U.S.C. § 2244(b)(3). Norris previously filed a habeas corpus action in this court concerning his 1993 convictions. That case was dismissed on October 28, 2002, on the ground that the claims were procedurally defaulted and lacked merit in any event. See Norris v. Morgan, N.D. Ohio Case No. 5:01 CV 1676.

Accordingly, this case is dismissed pursuant to 28 U.S.C. § 1915A. To the extent he seeks relief in habeas corpus, Norris must obtain leave from the United States Court of Appeals for the Sixth Circuit. 28 U.S.C. § 2244(b)(3). The court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an appeal from this decision could not be taken in good faith, and that there is no basis on which to issue a certificate of appealability. 28 U.S.C. § 2253; Fed.R.App.P. 22(b).

IT IS SO ORDERED.

s/ Kathleen M. O'Malley
KATHLEEN M. O'MALLEY
UNITED STATES DISTRICT JUDGE

DATED: 26 July 2006